

**IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.**

**Dated: October 11, 2019.**



**TONY M. DAVIS**  
**UNITED STATES BANKRUPTCY JUDGE**

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**UNITED STATES BANKRUPTCY COURT**  
**Western District of Texas**  
**Austin Division**

IN RE: **Orly Genger** , Debtor(s)

Case No.: 19-10926-tmd  
Chapter No.: 7

***ORDER DISMISSING PLEADING (ECF NO. 80) FOR LACK OF COMPLIANCE  
WITH LOCAL RULES***

**Doc # 80 – Expedited Notice of Hearing filed by Danielle Nicole Rushing for Creditor Arie Genger. (Rushing, Danielle) (Related Document(s): 76 Expedited Motion for Protective Order filed by Danielle Nicole Rushing for Creditor Arie Genger)**

**Upon consideration thereof, the court notes that the filing is deficient in the following respects:**

- ☐ The pleading does not include the signer's mailing address, telephone number and area code.
- ☐ The filing is not accompanied by the requisite form of notice.
- ☐ The Chapter 13 plan does not comply with Standing Order 17-02 which requires that the current District Form Chapter 13 plan be filed in all Chapter 13 cases with petition dates on and after November 1, 2017. **The debtor has seven (7) days from the date of this order to file a District Form Chapter 13 plan. Failure to comply may result in the case being dismissed without further notice.** The Standing Order and District Form Chapter 13 plan may be found at <http://www.txwb.uscourts.gov/official-forms-western-district-texas> .
- ☐ The Chapter 13 Plan must have an appropriate certificate of service, which lists each party served and its address.
- ☒ The pleading lacks the appropriate and/or no certificate of service per Local Rule 9013(c):
  - ☐ (1) The certificate of service must be signed by an attorney or party (if appearing without counsel), certifying that service has been accomplished in the manner and on the date stated in the certificate and upon the parties required to be served.
  - ☐ (2) The certificate of service must list each of the entities served and their addresses.
  - ☐ (3) With Court approval, a party may serve a summary of a pleading where the pleading is voluminous, or the number of parties to be served is excessively large. In such cases, the summary shall be filed, and the certificate of service shall be appended to the summary.
  - ☐ (4) No certificate of service.

- ☐ The filing states an incorrect time for notice to file objections, see Local Rule 9014(a) revised 11/1/2013.
- ☐ The filing states an incorrect time for notice to file objections, see Local Rule 4001(a)(2) regarding motions for relief from stay as revised 11/1/2013.
- ☐ The pleading lacks the appropriate certificate of conference pursuant to Local Rules 9014(e) and 9014(f).
- ☐ The pleading lacks the proposed form of order attached as an exhibit to the motion, see Local Rule 9013(b) revised 11/1/2013.
- ☐ The pleading lacks the separately uploaded proposed order, see Local Rule 9013(b) revised 11/1/2013.
- ☐ The Objection to Claim is not in compliance with the Standing Order Regarding Objections to Proofs of Claim.
- ☐ The filing is not in compliance with the current Official Bankruptcy Form(s).
- ☐ An objection to exemption must be served on all parties.
- ☒ Other(describe): Only serves counsel for creditor Sagi Genger. Does not serve the debtor, debtors' counsel or trustee and trustees' counsel.

The court concludes that the filing should be dismissed without prejudice to its refiling. So **ORDERED**.

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United States Bankruptcy Court  
Western District of Texas

In re:  
Orly Genger  
Debtor

Case No. 19-10926-tmd  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0542-1

User: wallacea  
Form ID: pdfintp

Page 1 of 1  
Total Noticed: 6

Date Rcvd: Oct 11, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 13, 2019.

db	+Orly Genger, 210 Lavaca St., Unit 1903, Austin, TX 78701-4582
aty	+John Dellaportas, Emmet Marvin & Martin LLP, 120 Broadway 32nd FL, New York, NY 10271-3291
intp	+D&K GP LLC, c/o Jordan Holzer & Ortiz, PC, 500 N. Shoreline Blvd., Suite 900, Corpus Christi, TX 78401-0341
intp	Dalia Genger, c/o Jordan, Holzer & Ortiz, 500 N SHORELINE BLVD, STE 900, CORPUS CHRISTI, TX 784010341
cr	+SureTec Insurance Company, Clark Hill Strasburger, 901 Main St #6000, Dallas, TX 75202-3748
cr	TPR Investment Associates, Inc., c/o Streusand Landon Ozburn & Lemmon, 1801 S. MoPac Expressway, Suite 320, Austin, TX 78746

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 13, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 11, 2019 at the address(es) listed below:

Aaron Michael Kaufman on behalf of Creditor Arie Genger akaufman@dykema.com,  
dandreacchi@dykema.com;PELLIOTT@DYKEMA.COM  
Brian Talbot Cumings on behalf of Trustee Ron Satija bcumings@gdhn.com, ctrickey@gdhn.com  
Danielle Nicole Rushing on behalf of Creditor Arie Genger drushing@dykema.com,  
lvasquez@dykema.com;docketsat@dykema.com  
Deborah D. Williamson on behalf of Creditor Arie Genger dwilliamson@dykema.com,  
mlongoria@dykema.com;docketsat@dykema.com  
Eric J. Taube on behalf of Debtor Orly Genger eric.taube@wallerlaw.com,  
sherri.savala@wallerlaw.com;annmarie.jezisek@wallerlaw.com  
Jay Ong on behalf of Interested Party The Orly Genger 1993 Trust jong@munsch.com,  
amays@munsch.com  
Raymond W. Battaglia on behalf of Creditor Eric Herschmann rbattagliaw@outlook.com  
Ron Satija rsatija@satijatrustee.com,  
ecf@satijatrustee.com;rs135@trustesolutions.com;RS135@trustesolutions.net;rsatija@ecf.inforuptcy.  
com;laura@satijatrustee.com  
Ryan Brent DeLaune on behalf of Creditor SureTec Insurance Company  
ryan.delaine@clarkhillstrasburger.com, yvette.squirrel@clarkhillstrasburger.com  
Sabrina L. Streusand on behalf of Creditor TPR Investment Associates, Inc.  
streusand@slolllp.com, prentice@slolllp.com  
Sabrina L. Streusand on behalf of Creditor Sagi Genger streusand@slolllp.com,  
prentice@slolllp.com  
Shelby A. Jordan on behalf of Interested Party Dalia Genger sjordan@jhwclaw.com,  
ecf@jhwclaw.com  
Shelby A. Jordan on behalf of Interested Party D&K GP LLC sjordan@jhwclaw.com,  
ecf@jhwclaw.com  
United States Trustee - AU12 ustpreion07.au.ecf@usdoj.gov

TOTAL: 14